IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 26488 of 2000

Between:

K.Amarnath Reddy S/o.Sankar Rami Reddy
Sangam Mandal, Nellore District.

..... PETITIONER

AND

Deputy Transport Commissioner and Secretary Regional Transport Authority,
Nellore.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, more particularly one in the Writ of Mandamus, declaring the order of the Respondent passed in R.No.23092/A3/2000 dt:10.10.2000 as illegal and arbitrary and consequently direct the respondent herein to release the vehicle from the coverage of Permit No.10/95 by issuing Clearance Certificate.

Counsel for the Petitioner:MR.NOUSHAD ALI

Counsel for the Respondent: G.P. FOR TRANSPORT

The Court made the following O R D E R:

This writ petition is filed by the petitioner questioning the impugned proceedings dated 10.10.2000 passed by the respondent/Deputy Transport Commissioner, Nellore.

The petitioner is the holder of pucca stage carriage permit P.S.P.No.10/95 on the town service route Butchireddipalem to Kothavangallu in Nellore. The permit is valid upto 29.09.2005. The petitioner stating that the existing bus bearing No.AP 26/U-1967 is not road-worthy, made an application to release the said vehicle from the coverage of permit P.S.P.No.10 of 1995 and grant clearance to the said vehicle. The respondent, by impugned proceedings dated 10.10.2000, rejected the application of the petitioner on the ground that the vehicle in question is covered by Stage Carriage Permit, and, therefore, the question of issuing clearance certificate does not arise.

This Court, in batch of cases, directed that replacement is permissible. Even, in this case, this Court, by order dated 03.01.2002, granted interim directions directing the respondent to release the vehicle bearing No.AP.26/U-1967 from the coverage of permit No.10/95 by issuing Clearance Certificate.

In that view of the matter, the writ petition is closed treating the said order as final order. No costs.

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23.06.2005

usd

To

1. The Deputy Transport Commissioner and Secretary Regional Transport Authority, Nellore.
2. Two CCs to G.P. for transport, High Court of A.P., Hyderabad (OUT).
3. Two CD copies.